

SEP 19 2017

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

BY: JULIA C. DUBLEY, CLERK  
DEPUTY CLERK

HAROLD JASON PADGETT,  
Plaintiff,

v.

SCOTT, et al.,  
Defendants.

Civil Action No. 7:17-cv-00378

MEMORANDUM OPINION

By: Hon. Michael F. Urbanski  
Chief United States District Judge

Harold Jason Padgett, a Virginia inmate proceeding pro se, filed a complaint pursuant to 42 U.S.C. § 1983 naming the Duffield Regional Jail ("Jail") and Head Nurse Scott as defendants. This matter is before the court for screening pursuant to 28 U.S.C. § 1915A.

The court dismisses claims alleged against the Jail without prejudice because the Jail is not amenable to suit via § 1983. See West v. Atkins, 487 U.S. 42, 48 (1988) (recognizing a § 1983 claim must allege the violation of a federal right by a person acting under color of state law); Preval v. Reno, 57 F. Supp. 2d 307, 310 (E.D. Va. 1999) ("[T]he Piedmont Regional Jail is not a 'person,' and therefore not amenable to suit under 42 U.S.C. § 1983."), aff'd in part and rev'd in part, 203 F.3d 821 (4th Cir. 2000), reported in full-text format at 2000 U.S. App. LEXIS 465, at \*3, 2000 WL 20591, at \*1 ("The court also properly determined that the Piedmont Regional Jail is not a 'person' and is therefore not amenable to suit under § 1983[.]"). Plaintiff's claims against Head Nurse Scott remain pending.

ENTER: This 18<sup>th</sup> day of September, 2017.

*/s/ Michael F. Urbanski*

Chief United States District Judge